

# MYSPACE

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## Introduction

Myspace is an online community where members can find and communicate with others as well as browse and share content. Users interact with friends' profiles, send messages to other users, join groups, become fans of bands, use third party applications and games, and upload and share photos and videos. The site is focused on the 13-35-year-old demographic and users must be at least 13 years old to create a profile. Myspace has traditionally focused on music and friends but its new goal is to become "the leading entertainment destination that is socially powered by the passions of fans and curators." Users can integrate their Myspace with their Twitter and Facebook accounts. It operates globally in over 20 different languages. The English version and the Spanish version of Myspace were tested<sup>1</sup> in Ireland and Spain, respectively, in December 2010 - January 2011.

### Summary of main findings

The Myspace Terms of Use Agreement states that users must be at least 13 years old to register. However, in both the English as in the Spanish version of Myspace it was possible to complete the registration by simply changing the date of birth<sup>2</sup>.

As observed during the testing of both language versions of Myspace the profile of a minor user created for this test was defaulted to "private" as defined by the Safer Social Networking Principles<sup>3</sup>. As a matter of fact, in both language versions of the site, even though this profile could be found by an adult "non-friend" user of the site, this "non-friend" only had access to a thumbnail of the profile picture of the minor, the gender and the first and last names and no other personal information was returned in the Myspace search function. Besides, as demonstrated by our test "non-friends" cannot interact with minors in any way, not even by sending friend requests.

By searching in the major search engines such as Google or Bing no information on any of the minors created for this test could be found. Furthermore, as the test demonstrated, profiles of the minors created for this test could only be contacted by their approved list of friends.

Other features implemented by Myspace include the use of context-sensitive help and child-friendly access control technologies to help young users make informed decisions regarding

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<sup>1</sup> Myspace recently executed a complete redesign of the Myspace website in November 2010, prior to the testing by the Commission. This may have implied that some of the functionalities tested were not fully functional or were not yet optimally working at the time of testing.

<sup>2</sup> According to Myspace, the site's design transition led to some uneven implementation of the minor signup session cookie.

<sup>3</sup> "Ensuring that setting a profile to private means that the full profile cannot be viewed or the user contacted except by 'friends' on their contact list".

the publishing of their personal information and the possibility for users to delete unwanted content and block other users. Reporting mechanisms are prominent on the site, easy to use, and the reports were dealt with promptly and effectively during the tests.

Finally, plenty of relevant safety information, advice, and tools for users, parents and teachers are prominently available on the site. However, in its Spanish version all the available safety audiovisual information is in English and none of the external links provided are from Spanish institutions or organizations working for a safer Internet experience.

### **Analysis of Results by Principle**

*Principle 1: Raise awareness of safety education messages and acceptable use policies to users, parents, teachers and carers in a prominent, clear and age-appropriate manner*

#### *Main findings in relation to the self-declaration*

In its self-declaration Myspace states that it provides clear, targeted guidance and educational materials for children and young people on how to navigate their website safely, for instance, through the Safety tips located at the bottom of each page. According to the self-declaration, under 18s receive periodic safety reminders upon login and when uploading content. Myspace also provides clear information about what constitutes inappropriate behaviour and the consequences thereof through the Terms of Use. These are clearly communicated and all users need to accept them before using this SNS. However, the self-declaration does not explicitly mention if this information is easily accessible on the website or if it is especially targeted at the youngest segment.

The “Safety tips” link at the bottom of every page includes links to parental monitoring and blocking software plus relevant e-safety information such as harassment and cyberbullying. There are tips specially targeted for parents and teachers available, for example, from the Parent Safety Tips page, the Myspace parent guide or the Myspace school guide. Myspace has also organized “aggressive education campaigns” through Myspace and other relevant third-party partners including several school associations.

Considering the amount and quality of the e-safety educational materials and resources available at Myspace, Principle 1 has been very satisfactorily assessed.

#### *Main findings in relation to the website*

In both language versions of the site tested, Myspace offers practical and complete information to minors about how to have a safe experience on the SNS. Tips, Q&A and audiovisual safety resources are available to both users and non-users. Myspace has a Help section prominently linked to from the navigation bar and the footer on all pages. There is also a Safety Tips section tailored for teens, parents, and educators and parental software is also available. Additionally, Myspace has developed targeted Myspace Internet Safety guides for Parents and Families, Teens, and School Administrators, however they are only available in English and some of the information relates to older versions of the website.

Both the English and the Spanish versions of MySpace provide videos for teens that promote positive behaviour and raise awareness on the consequences of negative online behaviour, however, once again, all the videos are in English and are, thus, difficult to understand for the Spanish-speaking segment.

When minors register on any of the language versions of the site they are given “a quick little safety reminder!” in the form of a pop-up window. This reminder outlines what constitutes inappropriate behaviour on the site and its consequences in a child-friendly and easy-to-understand way. When logged in as a minor in any of the language versions, context-sensitive advice was provided during key steps in the registration and content sharing process.

Apart from targeted e-safety information, MySpace offers its users detailed information on what constitutes inappropriate content in the Terms of Use page. Here, the consequences of

breaching the Terms are also specified (e.g. content elimination, cancellation of the profile or even reporting to the authorities). This information, however, is presented via a long text, with small font and with a legal tone, not easy for minors to understand.

Regarding the main weakness of Myspace in relation to Principle 1, is the reduced amount of e-safety resources available in the Spanish version of the site as compared to the English one. In particular no videos, parental guides or links to Spanish institutions working on Internet safety are offered in the Spanish version of the site.

In sum, the fact that Myspace provides relevant, concise and concrete Information in diverse formats specifically targeted at children, parents and educators indicates that Principle 1 has been very satisfactorily implemented in the English version of the site. However, the rather limited amount and variety of resources in the Spanish version of Myspace reveals that this Principle has been less satisfactorily implemented in the Spanish version.

*Principle 2: Work towards ensuring that services are age-appropriate for the intended audience*

#### *Main findings in relation to the self-declaration*

The self-declaration does not explicitly state what the minimum age requirement for using Myspace is, however it does indicate that the minimum age requirement is stated in the Terms of Use of the website. According to its self-declaration, in order to identify and delete underage users from their services, a session cookie is placed in the registration page. Myspace also employs a search algorithm (based on common terms used by underage users) to identify/search and delete “individuals misrepresenting their age”.

In its self-declaration Myspace claims it ensures the limited exposure of children to potentially inappropriate content and contact through diverse mechanisms including, among others, the blocking of inappropriate URLs from being posted on the site, or the blocking of user accounts that upload pornographic content or not targeting certain types of ads to users under 18 (e.g. alcohol-related ones). Additionally, Myspace works closely with commercial content providers to ensure that users can make informed choices regarding content, for example, through warning messages and restricting access to content based on time of day.

Myspace claims it promotes the uptake of parental controls by providing links to parent monitoring software and other e-safety information.

#### *Main findings in relation to the website*

The Terms of Use Agreement states that users must be at least 13 years old to register. Myspace relies on self-declaration of age by the user in the registration process as the key mechanism for ensuring that the services they provide are restricted to children younger than 13. In both language versions tested, the testing revealed that when trying to register as 9 year-old permission was denied (without being told why membership had been refused). However, in both the English as in the Spanish version of Myspace it was possible to complete the registration by simply changing the date of birth without even having to close down the browser. This indicates that the session cookie was either not installed or it simply did not work.

Confirming what is stated in the self-declaration, advertising, both in the Spanish as in the English version of the site, is age-appropriate. In the Spanish version of the site advertising messages are displayed for minors while surfing the SNS. These ads include banner ads and Interstitials for products such as telecoms, television programmes or music contests. When logged in as a minor in the English version of the site the only advertisement displayed was for “MySpace Celebrity”. This banner and right-column ad looks like another content module on the site but it says “Advertisement” underneath it. The ad clicks through to a section of the

site that lets users follow celebrities and get news, photos, videos, events, and more information from around the web about them.

In relation to third-party applications, there are separate Terms of Use Agreements for Application developers that define prohibited content specifying the types of content that need to be restricted for under 18 and under 21 year old users.

In relation to parental control tools available on the site references are made to a software download called ParentCare in the parenting information in the Safety section. They say this installable application helps parents to determine if their children have a Myspace profile and to monitor some of their information on the site. However, the link was not working during the dates the tests took place.

### *Principle 3: Empower users through tools and technology*

#### *Main findings in relation to the self-declaration*

According to its self-declaration, Myspace has taken a number of steps to empower young users such as new profiles of under 18 are automatically defaulted to “only friends”; no user can browse for users under 16; users under 16 are tagged as unsearchable by age on search engines. Adults can never add users under 16 as a friend unless they know the user’s last name or email. Users under 18 cannot access age-inappropriate areas such as Romance and Relationship forums and groups or other mature groups. Besides, Myspace claims it has implemented a pornographic website database that restricts users from posting mature links on their profile.

Additional features for all users include, among others, the option of only allowing friends to post comments on their profile, to block other user and to conceal the users ‘online now’ status. By default, users under 18 must pre-approve comments made on their profiles.

Myspace claims it supports the safety education of parents in order to help them protect children and young people (e.g. via safety tips/information at the bottom of every page online, and links to parent monitoring software and other e-safety information).

#### *Main findings in relation to the website*

As observed during the testing of both language versions of Myspace the profile of a minor user created for this test was defaulted to “private” as defined by the Safer Social Networking Principles<sup>4</sup>. As a matter of fact, in both language versions of the site, even though this profile could be found by an adult “non-friend” user of the site, this “non-friend” only had access to a thumbnail of the profile picture of the minor, the gender and the first and last names and no other personal information was returned in the Myspace search function. Besides, as demonstrated by our test “non-friends” cannot interact with minors in any way, not even by sending friend requests.

By searching in the major search engines such as Google or Bing no information on any of minors created for this test could be found. There is an option in the privacy settings to "allow users over 18 to contact me". However, confirming what is stated in the self-declaration, the test showed that despite having checked this box and saved the changes adults (who were not ‘friends’ of minors) were still unable to access the minor’s profile or send them messages. Furthermore, as the test demonstrated, profiles of the minors created for this test could only be contacted by their approved list of friends.

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<sup>4</sup> “Ensuring that setting a profile to private means that the full profile cannot be viewed or the user contacted except by ‘friends’ on their contact list”.

In both versions of Myspace tested and, as indicated in the self-declaration, by default, the profiles of the minors created only allowed friends to post comments on their profile and the user had to pre-approve the comments before they were displayed publicly. Similarly, when minors were tagged in photos, they needed to be pre-approved before they were displayed on their profile. It is possible to remove the comment approval requirement by choosing the appropriate check box in the Settings page.

Delete buttons are prominently displayed beside content modules on the user's profile, on their newsfeed and in the directories. Users can block other users, and friends, and then unblock them easily. Controls are also prominently placed on users' profiles that allow others to block them, remove them from their friends list, and to report them.

When uploading photos context sensitive information was displayed detailing the technical requirements, the types of content not permitted and links to the Photo Policy. When updating status comments, a warning about disclosing personal information was displayed.

*Principle 4: Provide easy-to-use mechanisms to report conduct or content that violates the Terms of Service*

#### *Main findings in relation to the self-declaration*

In their self-declaration Myspace refers to several easily-accessible, age-appropriate and at all times available mechanisms for (young) users to report inappropriate content, contact or behaviour that violates the Terms of Service including, among others: Report abuse procedure available from every Myspace webpage and whenever user-generated content appears; users can directly report sexually explicit conduct in UK and USA to specialised centres by choosing the "inappropriate contact" report abuse option; users can easily "report abuse" in all site area that contain user-generated content such as images, videos, messages and blogs; users are easily able to provide reasons when reporting images for Terms of Use violations; links to relevant local agencies and organisations are provided, e.g. depression, suicide and bullying.

The self-declaration stresses that users' reports are "acknowledged immediately and acted upon expeditiously" by specialised teams by means of the following process: Myspace reviews the reports, takes appropriate measures and responds back to the user explaining what actions were taken.

#### *Main findings in relation to the website*

As demonstrated by the test, in both versions of Myspace users can report inappropriate content and contact in an *easy to find* and *easy to understand* way. The Report Abuse form is linked to directly from the Information footer on all pages. A report abuse button is prominent beside all photos and videos; when it is clicked a report abuse form is displayed with information such as name and email address already completed. You can choose from a drop-down list to categorise the abuse. There is no specific report abuse mechanism on comments although there are buttons that allow you to block users and delete comments by clicking a button.

As part of the testing process, a (fake) minor was tagged in some pictures and nasty comments were added to her profile. The (fake) bullied minor filled in a reporting form and sent it to Myspace explaining the situation and asking for help and advice. In the Spanish version of Myspace no acknowledgement of receipt was sent to the user explaining how her complaint would be handled. However, a reply to her reporting form was sent 26 hours later by email. It included general information (also easily available to users on the SNS) and some ideas about how to proceed if what was reported effectively constituted an offense (e.g. go to the Police, recording everything as proof, etc).

In the English version of the site the same testing procedure took place. Here, an acknowledgment of the form being sent was displayed on screen. Besides, an automated email response was immediately received letting the “bullied” minor know that Myspace had received her message and that someone on the team was reviewing her question and would get back to her soon. The message quoted a unique reference number. Six hours later a second email was received providing detailed instructions on how to block the offending user and providing useful information relating to blocking. These instructions were easy to follow. After the offending minor was blocked, she could still access the bullied minor's profile although the live feed was not updated by activity that occurred after the blocking. It was possible, though, to click on photos and access the photo gallery including photos and comments in the gallery that had been posted since being blocked. However, the blocked minor could not interact with any content.

### ***Principle 5: Respond to notifications of illegal content or conduct***

#### *Main findings in relation to the self-declaration*

According to its self-declaration “Myspace proactively reviews images and videos and enforces compliance with the Terms of Use”. Myspace not only deals with notifications from users, but also with those from non-users’ such as parents, teachers and other local and international parties concerning a variety of safety issues (e.g. inappropriate content, general support, cyberbullying, etc.).

MySpace claims that the Policy Enforcement Team handles high priority and highly sensitive user reports by means of “an around the clock telephone hotline”. They also collaborate with law enforcement and government agencies. On its turn, the Security Abuse Enforcement Team aims at preventing and responding to malicious use of the site and at investigating such activity.

According to its self-declaration, Myspace has implemented specific arrangements to share reports of illegal content or conduct with the relevant law enforcement bodies. It supports local, state, federal and international law enforcement in investigations and prosecutions and a 24/7 dedicated hotline and email have been specially created for law enforcement. Myspace not only provides “ongoing training to cyber crime units on how to investigate and prosecute cyber criminals using Myspace”, but also a Law Enforcement Guide and a Quick Reference Guide to “help law enforcement agencies understand Myspace and investigate cases.”

Principle 5 has been rather satisfactorily assessed because even though Myspace states that they proactively review images and videos and enforce compliance with the Terms of Use, the service provider does not explicitly mention if they expeditiously review and remove offending content. They also do not specify what concrete mechanisms are in place to remove content found offending.

Because of ethical reasons, Principle 5 was not tested on the website.

### ***Principle 6: Enable and encourage users to employ a safe approach to personal information and privacy***

#### *Main findings in relation to the self-declaration*

According to its self-declaration, Myspace offers its users a wide range of privacy setting options allowing users, where appropriate, to edit and make public/private the information (provided during registration) that is automatically mapped onto their profiles. Users are also provided with supporting information to help them make informed decisions about the information they post online. In particular, in the “Safety Tips” pages, users find targeted information for teens, educators and parents (See Principle 1). In addition, specific safety measures have been implemented to protect the privacy of users under 18 (See Principle 3).

In relation to their privacy (settings), the self-declaration states that each application in Myspace offers granular settings allowing users to control different types of content from being shared with specific users. The same privacy controls that are in place for members apply to all available applications. “An application can only get information from the user if the user installs the application and thereby grants the application permission”.

In terms of communication, there are plenty of communication preferences available that allow users to restrict communication as strictly or as leniently as they choose, save for the default settings.

Nothing is not mentioned in the self-declaration regarding if privacy settings options /status are prominent in the user experience or if they are accessible at *all times*. Still, because

Myspace does encourage and enable young users to employ a safe approach to safety  
Principle 6 has been very satisfactorily assessed in the self-declaration.

### *Main findings in relation to the website*

In both versions of Myspace, when creating a profile users are only required to supply basic information such as name, profile picture, gender and age. By default, this “mandatory” information is automatically inserted into the users` profiles, but users are informed that this information will be made public and, if they wish so, they can also conceal this mandatory information. When a user has created a profile they are invited to supply further information (e.g. interests, location, body-type, ethnicity, etc.). It is not explicitly stated that this information will be displayed on their public profile. By default, this information can only be seen by friends. However, users are always allowed to change their privacy settings.

Although not explicitly mentioned in the self-declaration, all the privacy settings are accessible at all times by clicking Privacy Settings from the My Stuff drop-down list on the header on all pages. They can be configured by clicking radio buttons and check boxes in the Privacy section. In both the English and the Spanish versions of the website, all labels are simple and easy to understand. Besides, the Privacy page for minors is presented with a comprehensive list of tips and ideas on how to use Myspace safely. This information is written in an adequate tone and language, easy for children and young people to understand.

In both language versions, context sensitive information is displayed when uploading photos detailing the technical requirements, the types of content not permitted and links to the Photo Policy. When updating Status comments a warning about disclosing personal information is displayed.

An important privacy setting available in Myspace is that, by default, minors under 16 cannot be contacted by adults. Nevertheless, the minor can change this option and, eventually, be visible to adults. Still, in order to add a minor as a friend, the adult has to prove he knows the minor by providing their email address.

*Principle 7: Assess the means for reviewing illegal or prohibited content/conduct*

### *Main findings in relation to the self-declaration*

As mentioned in Principle 2 and Principle 5 Myspace has implemented diverse mechanisms to ensure the limited exposure to potentially prohibited content and contact by children and employs different types of procedures to promote compliance with the Terms of Service, for instance, inappropriate URLs are blocked from being posted on the site or user accounts that upload pornographic content are blocked.

Myspace claims it proactively reviews images and videos (See Principle 5). Additionally, Myspace has implemented arrangements to share reports of illegal content or conduct with the relevant law enforcement bodies.

Myspace states that they proactively review images and videos and enforce compliance with the Terms of Use. They also review reports of abuse and take appropriate actions. Principle 7 is, thus, very satisfactorily evaluated.

Principle 7 was not tested on the website.

## **Summary of Results and Conclusions**

Myspace has implemented Principles 3, 4 and 6 very satisfactorily and Principles 1 and 2 rather satisfactorily on its website. However, it must be said that Principle 1 has been better implemented in the English version of the site than in the Spanish one. The testing on the website revealed some areas of attention, for instance:

- In spite of the minimum registration requirement, both in the English as in the Spanish versions of Myspace it was possible for a child younger than 13 to create an account by simply providing a “suitable” date of birth.
- Profiles of minors could be found by an adult “non-friend” user of the site. However, this “non-friend” only had access to very limited personal information of the minor and could neither contact the minor via messages nor send friend requests.
- Limited availability of safety resources in the Spanish version of the site.
- The Terms of Use may be rather difficult for the younger age segment to understand.
- No parental control tools available during the testing. Links were available, but they were not active at the time of testing.

#### Assessment of all the Principles in the Self-declaration

<i>Principle</i>	<i>Very satisfactory</i>	<i>Rather Satisfactory</i>	<i>Unsatisfactory</i>
1	x		
2	x		
3	x		
4	x		
5		x	
6	x		
7	x		

#### Implementation of the Self-declaration on the SNS

<i>Principle</i>	<i>Very satisfactory</i>	<i>Rather satisfactory</i>	<i>Unsatisfactory</i>
1		x	
2		x	
3	x		
4	x		
6	x		

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